

IN THE UNITED STATES DISTRICT COURT OF  
THE DISTRICT OF NEW MEXICO

ZIA HOSPICE, INC. )  
Plaintiff, )  
v. ) CV 09-0055 CG/LFG  
KATHLEEN SEBELIUS ) CV 09-1108 CG/ACT  
Secretary of the United States )  
Department of Health and Human Services )  
Defendant.

**ORDER GRANTING EXTENSION OF TIME**

**THIS MATTER** is before the Court on *Defendant's Unopposed Motion for Extension of Time to File a Reply to Plaintiff's Application for Award of Attorney Fees and Brief in Support.* (Doc. 114). Plaintiff has filed a motion requesting over \$130,000.00 in attorney fees pursuant to the Equal Access to Justice Act. (Doc. 113). Defendant's response to the motion is currently due on August 31, 2011. Defendant seeks to extend the response deadline to October 10, 2011. (Doc. 114 at 2). In support, Defendant states that the Department of Health and Human Services is currently negotiating a potential global settlement in an effort to "resolve the financial, procedural, and policy issues existing in this matter as well as other pending district court and appellate court matters in a consistent manner." (*Id.*). Plaintiff does not oppose Defendant's request. The Court, having considered the motion, noting that it is unopposed, and otherwise being fully advised in the premises, **FINDS** the motion to be well-taken.

**IT IS THEREFORE ORDERED** that *Defendant's Unopposed Motion for Extension of Time to File a Reply to Plaintiff's Application for Award of Attorney Fees and Brief in*

*Support.* (Doc. 114), be **GRANTED**. Defendant's response to Plaintiff's motion for attorney fees shall be due no later than October 10, 2011.



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THE HONORABLE CARMEN. E. GARZA  
UNITED STATES MAGISTRATE JUDGE